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CF 15L 3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

MISCELLANEOUS APPEAL NO. 02/2004 **Division Bench**

APPELLANT
CLAIMANT

(1) Sona Bai W/o Sri Lavan Prasad Verma, Aged about- 40 years,
(2) Ishwar Prasad S/o Sri Lavan Prasad Verma, Aged about- 20 years,
(3) Ku. Asha D/o Sri Lavan Prasad Verma, Aged about- 17 years,
(4) Shushil Kumar S/o Sri Lavan Prasad Verma, Aged about- 15 years,
Applicant No.3 & 4, are represented by Mother,Sona bai, All are R/o Village- & Post- Siltara, Distt- Raipur(C.G.)

VERSUS

RESPONDENT
NON-APPLICANT

(1) Sagar S/o Sri Bhagwat Das Manikpuri, R/o – Village Pacharipara Durg, Tahsil & Distt- Durg(C.G.) Bus No. C.G. 07ZA- 0252
(2) Pawan Kumar Tamrakar S/o Sri Krishna Kumar R/o Tamerpara, Durg, Tahsil & Distt- Durg(C.G.)
(3) The Insurance Company Limited., Through: Divisional Manager- National Insurance Company Limited., G.E. Road, Raipur, Distt- Raipur(C.G.)

P. R. No. 04/04 S.C. Dt. 7/6/04
Presented by Shri ... Adv.
dated ...

Miscellaneous Appeal under/section 173 Motor Vehicle Act 1988

(19)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A...02/04 **सन् 200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.K. PATNAIK, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

16/03/2005: -

Heard Mr. S.C. Verma learned counsel for the appellants and Mr. N.K. Agrawal, Sr. Advocate, with Mr. Qamrul Aziz learned counsel for respondent No.3/National Insurance Company Limited.

This is an appeal filed by the claimants/appellants against the judgment and award dated 16.10.2003 passed by the Fourth Additional Motor Accident Claims Tribunal-cum-District Judge, Raipur in Claim Case No.56 of 2003.

During the pendency of the appeal, the parties have agreed on 18/08/2004 to compromise the matter and as per the said compromise, respondent No.3/National Insurance Company Limited has agreed to pay a sum of Rs.60,000/- (Rupees sixty thousand only) in addition to the amount of Rs.2,54,600/- (Rupees two lakhs fifty four thousand and six hundred only) awarded under the impugned award and judgment of the Tribunal, to the claimants / appellants. An application (I.A.No.697 of 2005) under Order 23 Rule 3 of the Code of Civil Procedure has also been filed by claimant/appellant No.1 on behalf of the minor claimants/appellants No.3 and 4 stating therein that the compromise is in the interest of all the claimants / appellants. The application is also supported by an affidavit of claimant/appellant No.1.

(पीछे देखिये)

XI-HC-22

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... M.A. No. 02/04 ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Hence this appeal is disposed of in terms of the said compromise. The compromise petition dated 18.08.2004 as well as I.A.No.697 of 2005 will form part of this compromise order. The impugned award and judgment of the Tribunal stands modified accordingly. Sd/- Chief Justice Sd/- Fakhruddin Judge	